

Message Text

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62

ACTION EB-11

INFO OCT-01 EUR-25 ISO-00 CAB-09 CIAE-00 COME-00 DODE-00

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FM AMEMBASSY COPENHAGEN

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INFO USMISSION BERLIN

AMEMBASSY BONN

AMEMBASSY LONDON

AMEMBASSY OSLO

AMEMBASSY PARIS

AMEMBASSY STOCKHOLM

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E.O. 11652: NA

TAGS: ETRN, DA

SUBJ: CIVAIR - SCANDINAVIAN-EAST GERMAN AVIATION NEGOTIATIONS

REF: COPENHAGEN 1419

BEGIN SUMMARY: FIRST ROUND OF SCANDINAVIAN NEGOTIATIONS WITH EAST GERMANS ON CIVIL AVIATION AIR AGREEMENTS (THREE, ONE EACH WITH DENMARK, NORWAY AND SWEDEN) RESULTED IN IMPASSE ON OVER-FLIGHT RIGHTS TO WEST BERLIN. SECOND ROUND IS EXPECTED THIS FALL. END SUMMARY

1. FONOFF TRANSPORTATION DIRECTOR THUNE ANDERSEN TOLD ECONOFF JUNE 18 THAT DANISH EMBASSY IN BONN IS INSTRUCTED TO INFORM BONN GROUP OF RESULTS OF FIRST ROUND OF SCANDINAVIAN-EAST GERMAN NEGOTIATIONS FOR AN AVIATION AGREEMENT, MAY 27-31. FRG FONOFF HAS BEEN INFORMED, BUT THUNE ANDERSEN
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UNDERSTANDS THAT PRESENTATION TO ALLIED CIVIL

AIR ATTACHES HAS BEEN DELAYED BECAUSE OF PRESS OF BUSINESS ASSOCIATED WITH DANISH QUEEN'S VISIT. HE EMPHASIZED THAT SCANS HAD DECIDED TO USE BONN AS LOCUS FOR BRIEFING SO THAT NONE COULD CLAIM THE OTHER WAS TOLD MORE THAN HE. NONE-THELESS, HE PROCEEDED TO GIVE US RESUME OF TALKS. FOLLOWING IS SUMMARY VERSION; WE ASSUME BONN WILL REPORT DETAILS OF PRESENTATION WHICH, WE UNDERSTAND, INCLUDES AN AIDE MEMOIRE.

2. TALKS WITH GDR INCLUDED SWEDES AND NORWEGIANS, WITH DANE (THUNE ANDERSEN) IN CHAIR FOR SCANS. GDR WAS REPRESENTED BY DELEGATION HEADED BY PAUL WELPERT OF TRANSPORTATION MINISTRY. EAST GERMANS HAD PREVIOUSLY SUBMITTED A DRAFT CONVENTION WHICH SCANS HAD ACCEPTED (MISTAKENLY, IN THUNE ANDERSEN'S VIEW) AS BASIS FOR NEGOTIATIONS. SCANS MADE NUMEROUS CHANGES IN GDR DRAFT WHICH WERE, IN THE MAIN, ACCEPTED BY EAST GERMAN DELEGATION. SCANS REPEATEDLY MADE POINT TO EAST GERMANS THAT THEY WANTED A "NORMAL" AVIATION BILATERAL, INCLUDING GENERAL OVERFLIGHT RIGHTS USUALLY PROVIDED IN SUCH AGREEMENTS. GDR DEL BALKED AT THIS. AFTER CONSIDERABLE TALK, IT WAS FINALLY AGREED TO STATE IN MAIN BODY OF AGREEMENT THAT OVERFLIGHT RIGHTS WOULD BE MUTUALLY GRANTED AS DEFINED IN ANNEX. THE ANNEX DRAFT LANGUAGE THEN SPELLED OUT ROUTES FOR WHICH OVERFLIGHT OF EAST GERMANY IS GRANTED. FOR EUROPEAN ROUTES, SCANS GOT OVERFLIGHT RIGHTS TO "THIRD COUNTRIES" THUS AUTOMATICALLY EXCLUDING WEST BERLIN. SCANS SAID THEY WOULD ACCEPT THIS LANGUAGE (TOGETHER WITH REMAINDER OF MODIFIED AGREEMENT AND ANNEX) AS BASIS FOR SECOND ROUND OF NEGOTIATIONS LATER THIS YEAR PROVIDED THAT EAST GERMANS WOULD ALSO AGREE TO EXCHANGE OF NOTES GIVING SCANS RIGHT TO CONSULT WHEN THERE IS A CHANGE ON MATTERS NOW THE SOLE RESPONSIBILITY OF THE GDR (I.E., WITH REGARD TO JURISDICTION IN BERLIN) AND THAT, AT SUCH CONSULTA-LIMITED OFFICIAL USE

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TIONS, OVERFLIGHT RIGHTS TO WEST BERLIN WOULD BE GRANTED.

3. IN THE DISCUSSIONS ON WEST BERLIN, GDR DEL CITED TWO PRINCIPAL OBSTACLES TO GRANTING OVER-FLIGHT RIGHTS: (A) BERLIN IS UNDER FOUR-POWER AGREEMENT AND GDR DOES NOT HAVE AUTHORITY TO GRANT RIGHTS REGARDING IT, AND (B) LACK OF AGREE-

MENT ON BERLIN AIR CONTROL, MAKE IT TECHNICALLY IMPOSSIBLE TO MOVE AIRCRAFT OUT OF GDR TERRITORY INTO WEST BERLIN AIR CONTROL ZONE. SCANS ALLEGEDLY CONTESTED THESE ARGUMENTS TO NO AVAIL. THUNE ANDERSEN SAID GDR DELEGATION HAD BEEN INSTRUCTED NOT TO BUDGE ON WEST BERLIN RIGHTS.

4. GIVEN NOT-UNANTICIPATED IMPASSE ON WEST BERLIN RIGHTS, THUNE ANDERSEN SAID SCANS TOOK EVASIVE APPROACH TO GDR DEL PRESSURE ON SETTING EARLY DATE FOR SECOND ROUND OF NEGOTIATIONS. THEY FINALLY AGREED THAT SETTING OF DATE WOULD BE DISCUSSED THROUGH "NORMAL DIPLOMATIC CHANNELS." DESPITE THIS PLOY, THUNE ANDERSEN SAID THAT THERE WAS GENERAL UNDERSTANDING THAT NEGOTIATIONS WOULD RESUME IN EAST BERLIN THIS FALL.
CROWE

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